

Wednesday, January 16, 2008

House Meets At...	Votes Predicted At...
10:00 a.m.: Legislative Business	Last Vote: 5:00-6:00 p.m.
Unlimited "One-minutes"	

Any anticipated Member absences for votes this week should be reported to the Office of the Majority Whip at 226-3210.

Floor Schedule and Procedure

- **Suspension Bills:** Today, the House will consider several bills on the Suspension calendar. Bills considered on the Suspension calendar are debatable for 40 minutes; may not be amended; and require a two-thirds vote for passage. If a recorded vote is requested, it will be postponed
 - 1) **H.Res. ____** - Condemning the assassination of former Pakistani Prime Minister Benazir Bhutto and reaffirming the commitment of the United States to assist the people of Pakistan in combating terrorist activity and promoting a free and democratic Pakistan (*Rep. Ackerman – Foreign Affairs*)
 - 2) **H. Res. ____** Providing for the concurrence by the House in the Senate amendment to **H.R. 4253**, with an amendment - Military Reservist and Veteran Small Business Reauthorization and Opportunity Act of 2007- (*Rep. Velazquez – Small Business*)
 - 3) **H.R. ____** - National Defense Authorization Act for Fiscal Year 2008 (*Rep. Skelton – Armed Services*)
- **H. Res. 918–Rule providing for consideration of H.R. 2768 – Supplemental Mine Improvement and New Emergency Response Act of 2007 (Rep. Slaughter-Rules):** The structured rule provides one hour of general debate equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Education and Labor. The rule provides one motion to recommit with or without instructions. Debate on the rule will be managed by Rules Committee Chair Rep. Louise Slaughter, and consideration will proceed as follows:
 - One hour of debate on the rule.
 - Possible vote on a Democratic motion to move the previous question. **Democrats are urged to vote yes on the previous question.**

- Vote on adoption of the rule. **Democrats are urged to vote yes on adoption of the rule.**
- **H.R. 2768 – Supplemental Mine Improvement and New Emergency Response Act of 2007 (Rep. George Miller-Education and Labor):**
Pursuant to the rule, debate will be managed by Education and Labor Committee Chair Rep. George Miller, or his designee, and will proceed as follows:
 - One hour of debate on the bill.
 - Debate and votes on amendments to the bill.
 - Possible debate and vote on a Republican Motion to Recommit the bill.
 - Vote on passage of the bill.

Bill Summary and Key Issues

H.R. 2768 – SUPPLEMENTAL MINE IMPROVEMENT AND NEW EMERGENCY RESPONSE ACT OF 2007

Making Work Safer for America's Miners

The Supplementary Mine Improvement and New Emergency Response Act

H.R. 2768, the Supplementary Mine Improvement and New Emergency Response Act (S-MINER), builds on legislation signed into law in 2006 by addressing serious gaps in mine safety and health standards. The S-MINER Act aims to prevent disasters and, in cases where disasters do occur, to improve emergency response. It also aims to reduce long-term health risks facing miners, such as black lung. The S-MINER Act was developed through months of consultation with miners, miners' families and advocates, mining experts, the mining industry and the Department of Labor.

Boosting Disaster Prevention Efforts. The S-MINER Act adds new safeguards for a dangerous practice called "retreat mining." The S-MINER Act strengthens standards to contain explosions and fires inside mines. The measure permits "belt air" (or the practice of using the same passageway to bring air to mines and to take out coal out of the mine on belts) only if it is necessary for safety reasons or it is approved on a case-by-case basis and includes all the protections recommended by the panel appointed to study the "belt air" practice.

New MSHA Authority and Ombudsman. The S-MINER Act strengthens MSHA's enforcement hand by: providing MSHA with subpoena authority; permitting MSHA to stop production in mines that do not pay off delinquent accounts and shut down mines that do not abate violations in a timely way; and increasing certain penalties and modifying the "pattern of violations" authority to make it easier to use. The S-MINER Act would create an office of Miner Ombudsman to process incoming complaints and assist whistleblowers with their cases.

Improving Emergency Response. The S-MINER Act includes a number of common-sense proposals for better equipping MSHA to respond to emergencies. The legislation more clearly defines MSHA's responsibilities and authority at the scene of a disaster and requires MSHA to develop a plan to better coordinate with state and local authorities. It establishes rules for independent investigations of mining disasters. The S-MINER Act improves safety technology in the mines, including better tracking and communications equipment, more reliable air

supplies, and the installation of refuge chambers where trapped miners can safely await rescue.

Reducing Long-Term Health Risks. The legislation updates standards to combat black lung disease and to reduce miners' exposure to other deadly health risks, such as asbestos. The S-MINER Act also strengthens rules to better inform miners of the health risks they face.

Anticipated Amendments to H.R. 2768

Miller, George (CA) – The amendment provides the mining industry with more time to install a new generation of fire-resistant conveyor belts. The amendment would also provide funds for MSHA to purchase a new generation of dust monitoring devices to limit black lung disease, and ensure that breathable air requirements of the MINER Act of 2006 are properly implemented. In addition, the amendment requires that the Secretary of Labor conduct a study on substance abuse by miners with recommendations for policy changes, in consultation with all interested parties. The Secretary shall report the findings within six months of the bill's enactment and, if she deems it feasible and effective, shall be authorized to establish a miner substance abuse testing, rehabilitation, and treatment program within MSHA in consultation with the interested parties. – **10 minutes**

Boucher (VA) – The amendment authorizes \$10,000,000 to award grants to provide rehabilitation services to current and former miners suffering from mental health impairments, including drug addiction and substance abuse issues, which may have been caused or exacerbated by their work as miners. . – **10 minutes**

Ellsworth (IN) - The amendment offers relief to mine operators that have been assessed penalties and pay them in a timely fashion. It also establishes a trust fund within Treasury, composed of mine safety civil penalties. Funds from the trust fund can be used for mine safety inspections and investigations only. – **10 minutes**

Wilson, Joe (SC)/Kline (MN) - Amendment in the Nature of a Substitute. The substitute amendment promotes the continued robust implementation of the 2006 MINER Act, increases worker safety by providing miners the opportunity to have a voice in mine safety, expands substance abuse programs to all mines to ensure safe working conditions for all miners, and addresses issues raised by the recent Crandall Canyon disaster. – **30 minutes**

Quote of the Day

“Let us be true: this is the highest maxim of all art and of life, the secret of eloquence and of virtue, and of all moral authority.” -Henri Frederic Amiel